

**Planning Board
Meeting Minutes
August 30, 2022
6:32 PM-8:59 PM**

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Planning Board Present: Chairman Mark Silverberg, Hazel Nourse, Peter Bouchard, Jon Pezzoni, John Gelcich

Also present: Jim Robbins-Town Planner, Kristen Belanger-Planning Dept. Administrative Assistant

Not present:

The regularly scheduled meeting of the Westborough Planning Board was held at the Great Hall of the Forbes Building at 45 West Main St, Westborough, MA 01581 on Tuesday, August 30, 2022. Chairman Silverberg convened the meeting at 6:32 PM.

Continuation of Public Hearing for 180-182 Turnpike Rd Site Plan Application

Marshall Gould Attorney, Randy Waterman, Barry Yaceshyn with WDA and Ron Muller Traffic Engineer from Ron Muller and Assoc. presented.

Mr. Muller reported that the proposed car dealership will result in roughly the same amount of traffic. Weekday AM and weekend PM hours. Totals resulted in 10 fewer cars during the week. They collected speed vehicle data on Rt. 9. And 58 mph is the average speed. Need 550' to the left for stopping distance.

This assumes wet conditions. Measured distance 700' from east driveway and 550' from west driveway.

Astro requirements are for passenger cars not tractor trailers. Car carriers are taller and can more easily be seen. Chairman Silverberg would like to know if these carriers will have enough time to stop.

Mr. Muller, there is an 8 ft. shoulder and deceleration lane to use going into the driveway. DOT does not want to see right hand only lanes, encourages too much confusion.

Member Nourse is concerned that traffic coming over the hill at high speeds will come upon the car carrier turning into the driveways. She believes this will cause a safety issue.

Intention was that the carriers would be coming in on the west driveway and move through the property and exiting out the easterly driveway. Mr. Muller pointed out that the studies were done to determine the safety thresholds and additional reporting is not warranted in this case.

Member Gelcich asked if there will be signage on the western driveway to prevent trucks from exiting there.

Mr. Waterman said yes there will be signs for delivery and employees only.

The Planning Board decided that they would like to have a peer review of the traffic study as a reference.

Chairman Silverberg mentioned that Planning Board received a letter from Walker Meadow dated 8/26/2022.

The applicant has not had adequate time to prepare their response. They intend to do so at the next Planning Board meeting on 9/20. Requests require a modification to the site plan. Once they have that, they can schedule the meeting with the Walker Meadow board. On 9/20 earlier in the day.

Chairman Silverberg would like to have the written response on the Thursday prior to the meeting on 9/20 so everyone has time to process and provide discussion.

Lisa Allain, Town Engineer stated there will be engineering comments to the applicant tomorrow.

Ken Ferrera 9 Deerfield Way- He did not agree with the assessment that traffic would not be impacted from the current tenant. He would like a copy of the peer review to question that statement.

Wayne Webster 3 Essex Way-He sat on a similar board for the Town of Melrose. Larger issue is not traffic on Rt. 9. Those that live in the area have seen how carriers do not pull in, they load and unload on Rt. 9 itself. He believes this plan is not engineered well. Too much in a small amount of space. This plan has a lot of scenarios that need to work perfectly in order to play out.

Thursday last week, Mr. Gould responded he could do a meeting on Tuesday.

Walker Meadow sent their comments this morning and were ready to meet today but the lawyer did not have time to meet.

They will have more comments on hazmat, screening and lighting.

Tom Berger 10 Shaker Way-Applicant is proposing to answer the letter on Thursday before the meeting along with drawings and then they would have owner/applicant working group meeting 9/20 in morning and then Planning Board meeting Tuesday evening.

Peter Bouchard is Planning Board rep to attend the Walker Meadow meeting with the applicant, noone has notified him to date.

Ellen Gugel 84 Fisher St-Chair of ATSC. Here to talk about easement for BWALT.

Easement on old trolley line right of way. Without it they won't have BWALT. Most of the residents in town are in favor, she would urge the Planning Board to make this a requirement for permitting. Committee is charged with planning for this trail. She will have a formal letter for the next meeting.

Ann Burdick 11 Essex Way- They find it frightening already to deal with hazards from traffic. Car Max has considerably more land available and she has witnessed gigantic car carriers turning into driveway with near misses on accidents.

Chairman Silverberg read the request for continuance into the record.

Member Bouchard made a motion that the Planning Board continue the public hearing for the Site Plan Review Application of 180-182 Turnpike Road to Tuesday September 20, 2022 at 6:30pm as requested by the applicant. Member Nourse seconded.

Vote: 5-0

Continuation of Public Hearing for 25-29 Research Drive Site Plan Application

Marshall Gould Attorney along with Michael Fitzpatrick and Peter Sougarides from Samuels & Assoc. attended.

Chairman Silverberg understands the applicant agreed to allow Fire Dept. to use buildings to do training, he thanked them for that concession.

Mr. Robbins reviewed the draft decision.

Chairman Silverberg mentioned that on PG 4, he wonders if they need to mention public walking trails so people don't think it is for employees only. They also don't want the public to access the property due to the security reasons related to the use.

Public could use SW corner walking trail connection and then use electric easement. Requirements of Industrial Overlay have been called out. This is meant to assist lenders, etc.

Lisa Allain would suggest before they receive occupancy on each building they would get an interim As Built.

Mr. Fitzpatrick said they need to agree on what is included on the interim As Built. Any site work that is on site should be shown. Prior to occupancy being granted interim As Builts need to show what is built to date. Prior to occupancy of last building everything will be included on the final As Built.

Member Nourse had a question about adding language about security measures for vacant property and vandalism.

- Mr. Gould will add active water and reasonable security measures. To #4

Glare was in the bylaws so they replaced light pollution to reference that instead.

Applicant wants to have flexibility to look at all transportation services.

#14 applicant will need to go in to buffer to restore it, so need to do work in that area. It will be undisturbed after work is complete.

Notice given for nonperformance is reasonable time.

Member Gelcich believes the definition of applicant is confusing. Mr. Gould said applicant is defined on PG 1, applicant along with successor.

Member Gelcich made a motion that the Planning Board close the public hearing for the Site Plan Review Application of 25-29 Research Drive. . Member Nourse seconded.

Vote: 5-0

Member Bouchard made a motion that the Planning Board approve the Site Plan for 25-29 Research Drive dated August 30, 2022 with edits made at this evening's meeting. Member Gelcich seconded.

Vote: 5-0

Public Hearing for Earth Moving Permit, 25 Gleason

Chairman Silverberg read the letter from the applicant dated August 26, 2022.

Member Nourse made a motion that the Planning Board continue the public hearing for the Earth Moving Special Permit Application for 25 Gleason Street to Tuesday September 20, 2022 at 6:30pm. Member Bouchard seconded.

Vote: 5-0

Continuation of Public Hearing for 190-212 Oak Street Site Plan Application

Chairman Silverberg read the letter from the applicant dated 8/23/2022.

Member Bouchard made a motion that the Planning Board continue the public hearing for the Site Plan Review Application for 190-212 Oak Street to Tuesday September 20, 2022 at 6:30pm as requested by the applicant. Member Nourse seconded.

Vote: 5-0

Update on Village Commons

Mr. Robbins gave an update on his inspection of the property. Developer is attending the DRB tomorrow morning.

Mr. Ansari the Developer, responded they are waiting for the power company, all work is done otherwise. Once he has the final plumbing and electrical approved he can submit for his final building inspection. Mr. Ansari said all landscaping is complete and ready for inspection.

Member Nourse commented that there are dead birch trees. Mr. Ansari's contractor informed him the trees are not dead, if they are they will be removed.

Chairman Silverberg commented that the last construction schedule provided said final occupancy will be in June. He is going to talk to Mr. Robbins about recourse if this is not finished on 9/20.

Mr. Ansari thinks they should have occupancy for 10 and 16. Then they have one more #14 market rate.

Affordable units have been sold but no one is living there yet.

All units are through purchase and sale.

Public Hearing for Zoning Dimensional Regulations for Projects in the M-1 District: Renovation of the Public Library at 55 West Main St.

Chairman Silverberg read the legal ad into the record.

Mr. Robbins summarized the article. To create zoning for this site, it has to go to town meeting. This is public hearing to establish setbacks which will be the building envelope in which work occurs.

Site Plan review will follow which will also require a Public Hearing.

Steve Theran from Vertex, Eric Moore LPAA (Architects) presented.

State grant applied for in 2017, was accepted in July 2022. After acceptance, they have a short timeline to receive town approval to access the grant. They are finalizing with the construction manager to refresh costs for upcoming Town Meeting. If approved at Town Meeting, will evolve into design phase, design docs by Jan 2024 and then construction takes place into May 2025.

Mr. Moore presented details about the project. The property is very small. No onsite parking. There is an agreement with the church next door to use parking in exchange for the Town clearing the snow.

The grant has requirements to provide a certain amount of space and in order to do that need to enlarge the footprint. They plan to demolish the main circulation deck and the entire 1980 addition and build a new addition.

They have met with the library committee and the abutters. Along the north property line they created a 10' set back, this was endorsed by the building committee. They would eliminate a projected bay window.

The set back for the envelope is referenced on the application, they would like to add building set back as well to the language. Mr. Robbins responded bylaws only require set backs to show where work would occur. If they want to show where building is they can do that. But once this set back is established if anything changes it would need to go back to town meeting to be approved again.

Chairman Silverberg thinks it is more appropriate to list in the Site Plan approval.

They believe the building set back is something that will satisfy the abutter and the committee has approved so they would like to keep this added.

It is 10' only on the north and rear side of the property line. They won't be going forward with site plan review until after Town Meeting.

Member Nourse thinks it is important to notify the town that 0 set back is not where the building will be built to. Zoning setback establishes construction zone.

Mr. Lonardo, Building Commissioner said they should reference the north side of the building abutting 8 Parkman. That includes air rights.

10 foot setback eliminates any confusion on where building can extend to. Would like to have that resolved prior to Town Meeting.

Member Nourse asked how tall the present library is? A little over 40 ft. to the highest point. New one is a couple feet higher. The interpretation for height is from ground to highest point including equipment on the roof.

Ed Baldwin 25 Mt. Pleasant St-If dimensional regulations say 0' but building says 10' can they work in that area during construction.

Mr. Lonardo says yes he doesn't have a problem working to the property line.

Member Nourse made a motion to close the public hearing for Zoning Dimensional Regulations for Projects in the M-1 District Library Renovation. Member Gelcich seconded.

Vote: 5-0

Member Gelcich made a motion that the Planning Board make a recommendation to Town Meeting as written in warrant with the addition that the final building set back be 10 feet on the north property line adjacent to 8 Parkman. Member Nourse seconded.

Vote: 5-0

Silver Hollow Estates

Met earlier this week. Developer built 8 ft. fence between Lot 26 and the Steudels. Developer proposed adding three additional trees, the Steudels approved. There was another option to extend the privacy fence. The developer will come back in the future to provide solution agreed to with the owner.

Discussion on Master Plan Implementation Committee

Member Bouchard would vote to include 11 members.

There are 10 that scored a 53 or higher. 12 scored 45 and higher.

Chairman Silverberg thinks scores of 31 and lower should not be considered.

Chairman Silverberg thinks 1 Planning Board, 1 Select Board and Town Manager and then 12 at large. The total would be 15 members.

Member Pezzoni wants to know that people getting involved are in it for the long haul.

Member Nourse thinks to bring someone in later on if someone drops off would not help. She would agree to a larger group for that reason.

The Planning Board needs to verify who the Select Board rep is.

1 Planning Board member

1 Select Board member

1 Town Manager or their designee

12 At large

Chairman Silverberg made a motion to appoint the following people to the Master Plan Implementation Committee. One Town Manager or their designee , one Planning Board member, and one Select Board member and the following at large members of the public: Kristina Allen, Maria Barney, Tom Bleier, Stephanie Doyle, Jack Haagensen, Ding Han, Christine Kelleher, Wendy Mickel, Catherine Nourse, Hank Rauch, Daniel Schur, Cori Wigington. Seconded by Member Gelcich.

Vote: 5-0

Chairman Silverberg would like to be Planning Board rep to the Master Plan Implementation Committee. Member Nourse offered to be a back up.

Member Gelcich made a motion to nominate Mark Silverberg as the Planning Board Rep to the Master Plan Implementation Committee. Member Nourse seconded.

Vote: 5-0

Housing Choice Act- need to prepare a concept plan to submit to DHCD in January. First meeting in Oct Mr. Robbins will put on the agenda.

9/6 meeting – Mr. Robbins will not be here 9/6 or 9/13. Projects have been continued to 9/20. Kristen will send out notice for 9/20 meeting a week prior. Next meeting will be 9/20 at 6:30 pm.

Kristen Belanger will post a cancellation notice for 9/6.


Town Meeting is 10/17. Member Pezzoni will not be in attendance.

Member Bouchard will not be at the 11/15 Planning Board meeting.

Member Nourse made a motion to adjourn the meeting at 8:59 pm. Member Silverberg seconded.

Vote: 5-0

Respectfully Submitted by Kristen Belanger, Planning Dept. Admin. Assistant



**One board member signature required for approval.*